

UNDERSTANDING DEFICIENCIES IN WATER REGULATIONS AND POLICY
Water Rights/Regulatory Authority Committee
August 27, 2003

Existing Gaps or Redundancies	Potential Conflicts	Potential Solutions
No formal or consistent water quantity evaluation of withdrawals	Local versus state/regional water management; (zoning ordinances and codes)	Charge a central authority with the burden of proof regarding water availability with respect to the safe yield of the resource.
Unclear stream flow standards	Water rights versus federal regulation	Require DEM to integrate new standards for existing permit programs with water allocation program objectives.
Unclear regulation of self-supply withdrawals	Agriculture and other users	Identify self-supply users and educate them; clarify/quantify the water right
Various degrees of water supplier regulation during shortages	Public versus private water users in same water district and/or drought region	More coordination of water restrictions within drought regions; firm up sales agreements between water suppliers.
Lack of written agreements between suppliers, including interstate agreements	Out-of-basin transfer is not treated uniformly in existing regulation and policy	Identify where agreements do not exist or are dated and prepare new ones; expand RI membership in NEIWPC and investigate whether the compact addresses water quantity.
No tribal compacts	State/tribes	Quantify the water right
Little integration of water and wastewater	Best management practice versus regulation	Acknowledge conjunctive use (see code)
Redundancy: WHP, WSSMP, Infrastruc. plans	Burdensome and costly for suppliers	Assess potential for plan consolidation
Emergency management coordination	Priority uses	Revise SGP #723 Water Emergency Response and advise RIEMA regarding EOP conflict
Out-of-basin transfer rules differ in certain areas	Lawful versus unlawful transfers; equity issues	Record SAMPs and SGP elements in Sec. Of State's rules database